

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

MARISA ZUNIGA, individually  
and on behalf of all others similarly situated,

Plaintiff,

v.

No. 2:18-cv-00683-GJF-KRS

TRUEACCORD,

Defendant.

**SCHEDULING ORDER**

**THIS MATTER** comes before the Court following a telephonic Rule 16 scheduling conference held on November 14, 2018. At the hearing, the Court adopted the parties' proposed Joint Status Report and Provisional Discovery Plan, except for minor modifications discussed on the record and included in the dates below.

**IT IS, THEREFORE, ORDERED** that the parties shall follow the following discovery plan:


- (a) Maximum of twenty-five interrogatories per party to the other party with responses due thirty days after service.
- (b) Maximum of thirty requests for admission per party to the other party with responses due 30 thirty days after service.
- (c) Maximum of five depositions by each party. Depositions shall not exceed four (4) hours unless for parties or experts, in which case the depositions shall not exceed seven hours.

**IT IS FURTHER ORDERED** that the following case management deadlines shall govern:

- (a) Deadline for Plaintiff to amend pleadings and/or join parties pursuant to Federal Rule of Civil Procedure 15: **January 17, 2019;**
- (b) Deadline for Defendants to amend pleadings and/or join parties pursuant to Federal Rule of Civil Procedure 15: **February 18, 2019;**
- (c) Plaintiff's expert-disclosure deadline: **February 15, 2019;**
- (d) Defendant's expert-disclosure: **March 15, 2019;**
- (e) Deadline for supplementing discovery/disclosures: **April 17, 2019;**
- (f) Termination of discovery: **April 17, 2019;**
- (g) Motions relating to discovery: **May 30, 2019;**
- (h) All other motions, including dispositive, *Daubert*, and class-certification motions:  
**June 17, 2019;**
- (i) Pretrial order:      Plaintiff to Defendants by: **July 8, 2019;**  
                                 Defendant to Court by: **July 15, 2019.**

**IT IS FURTHER ORDERED** that the Court must approve any changes to the timing or scope of discovery, other than the parties' agreement to extend the length of a deposition beyond six hours made during the deposition in question. Requests by a party to change the timing or scope of discovery, other than a mutual agreement to extend a deposition reached during the deposition, must be made by motion and before the termination of discovery or the expiration of any applicable deadline. Discovery must be completed on or before the termination of the discovery deadline. A written discovery request must be propounded by a date so that the response to that request shall be due on or before the discovery deadline. The parties are further reminded that the cutoff for motions related to discovery does not relieve the party of the 21-day time period under Local Rule 26.6 to challenge a party's objections to answering discovery. The

parties are encouraged to review Federal Rule of Procedure 26(a)(2) to ensure they properly disclose *all* testifying witnesses, not just those for whom a report is required.

A handwritten signature in black ink, reading "Kevin Sweazea". The signature is written in a cursive, flowing style. The first name "Kevin" is written with a large, stylized 'K' and 'v'. The last name "Sweazea" is written with a large, stylized 'S' and 'z'. The signature is positioned above a horizontal line.

KEVIN R. SWEAZEA  
UNITED STATES MAGISTRATE JUDGE